

Plaintiff has not filed a Motion for Summary Judgment, has not requested an extension of time to file such a motion, and has failed to respond to the pending Motion to Dismiss. Moreover,

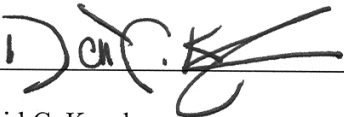
Defendant's counsel represents that he contacted counsel for the Plaintiff who informed him that "Plaintiff had decided not to pursue the case." See Document No. 12, at 2.

Under these circumstances, where the Plaintiff has wholly failed to prosecute his Social Security appeal, or even to respond to the instant motion, dismissal is a necessary and appropriate remedy for the efficient administration of justice. Accord Link v. Wabash Railroad Co., 370 U.S. 626, 630-32 (1962) (district court may dismiss action for failure to prosecute sua sponte or on the motion of a party in order to "achieve the orderly and expeditious disposition of cases").

IT IS, THEREFORE, ORDERED that "Defendant's Motion to Dismiss for Want of Prosecution" (Document No. 12) is **GRANTED** and the "Complaint" (Document No. 1) is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

Signed: January 30, 2007



David C. Keesler
United States Magistrate Judge

